



**SENATE SUBSTITUTE AMENDMENT 1,  
TO 1997 SENATE BILL 262**

February 10, 1998 – Offered by COMMITTEE ON HEALTH, HUMAN SERVICES, AGING,  
CORRECTIONS, VETERANS AND MILITARY AFFAIRS.

1     **AN ACT to amend** 15.085 (1m) (b), 50.39 (3), 103.10 (1) (e), 252.10 (7), 252.15 (1)  
2             (ar) 1., 448.10 (4), 895.48 (1m) (intro.), 895.48 (1m) (b) and 908.03 (6m) (a); and  
3     **to create** 15.406 (3), 146.81 (1) (eg), 180.1901 (1m) (bt), 440.08 (2) (a) 46r. and  
4             subchapter V of chapter 448 [precedes 448.95] of the statutes; **relating to:** the  
5             regulation of massage therapists and bodyworkers, creating a massage therapy  
6             and bodywork affiliated credentialing board, granting rule-making authority  
7             and providing a penalty.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

8             **SECTION 1.** 15.085 (1m) (b) of the statutes is amended to read:  
9             15.085 (**1m**) (b) The public members of the physical therapists affiliated  
10            credentialing board and the massage therapists and bodyworkers affiliated  
11            credentialing board shall not be engaged in any profession or occupation concerned  
12            with the delivery of physical or mental health care.

1           **SECTION 2.** 15.406 (3) of the statutes is created to read:

2           **15.406 (3) MASSAGE THERAPISTS AND BODYWORKERS AFFILIATED CREDENTIALING**  
3 BOARD. (a) There is created in the department of regulation and licensing, attached  
4 to the medical examining board, a massage therapists and bodyworkers affiliated  
5 credentialing board. The affiliated credentialing board shall consist of the following  
6 members appointed for 4-year terms:

7           1. Five massage therapists or bodyworkers who are certified under subch. V of  
8 ch. 448 and have engaged in the practice of massage therapy or bodywork for at least  
9 2 years preceding appointment.

10          2. Two public members.

11          (b) In appointing members under par. (a), the governor shall ensure, to the  
12 maximum extent practicable, that the membership of the affiliated credentialing  
13 board is diverse, based on all of the following factors:

14          1. Massage or bodywork therapies practiced in this state.

15          2. Affiliation and nonaffiliation with a professional association for the practice  
16 of massage therapy or bodywork.

17          3. Professional associations with which massage therapists or bodyworkers in  
18 this state are affiliated.

19          4. Practice in urban and rural areas in this state.

20           **SECTION 3.** 50.39 (3) of the statutes is amended to read:

21           **50.39 (3)** Facilities governed by ss. 45.365, 48.62, 49.70, 49.72, 50.02, 51.09,  
22 58.06, 252.073, 252.076 and 252.10, secured correctional facilities as defined in s.  
23 938.02 (15m), correctional institutions governed by the department of corrections  
24 under s. 301.02 and the offices and clinics of persons licensed to treat the sick under  
25 chs. 446, 447 and 448 are exempt from ss. 50.32 to 50.39. Sections 50.32 to 50.39 do

1 not abridge the rights of the medical examining board, physical therapists affiliated  
2 credentialing board, massage therapists and bodyworkers affiliated credentialing  
3 board, dentistry examining board, pharmacy examining board, chiropractic  
4 examining board and board of nursing in carrying out their statutory duties and  
5 responsibilities.

6 **SECTION 4.** 103.10 (1) (e) of the statutes is amended to read:

7 103.10 (1) (e) "Health care provider" means a person described under s. 146.81  
8 (1), but does not include a person described under s. 146.81 (1) (eg).

9 **SECTION 5.** 146.81 (1) (eg) of the statutes is created to read:

10 146.81 (1) (eg) A massage therapist or bodyworker certified under subch. V of  
11 ch. 448.

12 **SECTION 6.** 180.1901 (1m) (bt) of the statutes is created to read:

13 180.1901 (1m) (bt) Massage therapists and bodyworkers affiliated  
14 credentialing board under subch. V of ch. 448.

15 **SECTION 7.** 252.10 (7) of the statutes, as affected by 1997 Wisconsin Act 27, is  
16 amended to read:

17 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis  
18 shall be purchased by the department from the appropriation under s. 20.435 (5) (e)  
19 and dispensed to patients through the public health dispensaries or through health  
20 care providers, as defined in s. 146.81 (1), other than social workers, marriage and  
21 family therapists or professional counselors certified under ch. 457,  
22 speech-language pathologists or audiologists licensed under subch. II of ch. 459,  
23 speech and language pathologists licensed by the department of public instruction,  
24 massage therapists or bodyworkers certified under subch. V of ch. 448 or, on or after

1 July 1, 1995, and no later than June 30, 1999, dietitians certified under subch. IV of  
2 ch. 448.

3 **SECTION 8.** 252.15 (1) (ar) 1. of the statutes is amended to read:

4 252.15 (1) (ar) 1. A person or entity that is specified in s. 146.81 (1), but not a  
5 massage therapist or bodyworker certified under subch. V of ch. 448.

6 **SECTION 9.** 440.08 (2) (a) 46r. of the statutes is created to read:

7 440.08 (2) (a) 46r. Massage therapist or bodyworker: July 1 of each  
8 even-numbered year; \$41.

9 **SECTION 10.** 448.10 (4) of the statutes is amended to read:

10 448.10 (4) MASSAGE AND HYDROTHERAPY. Any Notwithstanding s. 448.951, any  
11 person who, on July 11, 1953, was practicing massage and hydrotherapy in this state  
12 under a certificate of registration issued pursuant to s. 147.185, 1951 stats., as it  
13 existed prior to July 11, 1953, or who had applied for a certificate of registration in  
14 massage and hydrotherapy before said date, shall have the right to continue to so  
15 practice under such certificate, and the term "massage and hydrotherapy" shall be  
16 deemed to include the use of galvanic generator, diathermy, infrared ray and  
17 ultraviolet light for massage purposes. Nothing contained in this subsection shall  
18 limit the existing authority of the board to revoke such certificate for cause, and in  
19 addition, the board may require the holder of such certificate to demonstrate by  
20 examination fitness to use the instrumentalities enumerated in this subsection. A  
21 lack of such fitness shall constitute cause for revocation of such certificate. No such  
22 certificate holder shall treat a specific disease except on the advice of a licensed  
23 physician.

24 **SECTION 11.** Subchapter V of chapter 448 [precedes 448.95] of the statutes is  
25 created to read:



1           (7) "Sexual contact" has the meaning given in s. 939.22 (34).

2           (8) "Sexual intercourse" has the meaning given in s. 948.01 (7) (a).

3           **448.951 Use of titles.** Except as provided in s. 448.952, no person may  
4 designate himself or herself as a massage therapist or bodyworker, use or assume the  
5 title "massage therapist and bodyworker" or "massage therapist" or "bodyworker",  
6 or append to the person's name the letters "M.T.", "C.M.T.", "B.W." or "C.B.W.", or use  
7 any other title or designation which represents or may tend to represent the person  
8 as a massage therapist or bodyworker, unless the person is certified under this  
9 subchapter.

10           **448.952 Applicability.** A certificate under this subchapter is not required for  
11 any of the following:

12           (1) A person holding a license, permit, registration or certification granted by  
13 this state or the federal government who engages in a practice of massage therapy  
14 or bodywork within the scope of his or her license, permit, registration or certification  
15 and who does not imply that he or she is a massage therapist or bodyworker.

16           (2) A massage therapy or bodywork student practicing massage therapy or  
17 bodywork, without compensation, within the scope of the student's education or  
18 training.

19           (3) A massage therapist or bodyworker who is licensed, permitted, registered  
20 or certified to practice massage therapy or bodywork in another state or country and  
21 is providing a consultation to or demonstration with a massage therapist or  
22 bodyworker who is certified under this subchapter.

23           (4) A person who restricts his or her manipulation of soft tissue to the hands  
24 or feet and who does not imply that he or she is a massage therapist or bodyworker.

1           **(5)** A person who uses touch or spoken words to increase awareness of existing  
2 or potential patterns of movement in the human body and who does not imply that  
3 he or she is a massage therapist or bodyworker.

4           **448.953 Duties of affiliated credentialing board. (1)** The affiliated  
5 credentialing board shall assign a unique certificate number to each person who is  
6 certified under this subchapter.

7           **(2)** The affiliated credentialing board shall promulgate rules that establish all  
8 of the following:

9           **(a)** A code of ethics that governs the professional conduct of massage therapists  
10 or bodyworkers. The code of ethics shall prohibit a massage therapist or bodyworker  
11 from having sexual contact or sexual intercourse with a client.

12           **(b)** Criteria for approving a school of massage therapy or bodywork from which  
13 graduation is required under s. 448.954 (1) (e) 1. Rules promulgated under this  
14 paragraph shall define the curricula and qualifications of instructors that are  
15 required for approval of a school. The rules shall prohibit the approval of a school  
16 unless the on-premises practice of massage therapy or bodywork by a massage  
17 therapy or bodywork student is under the direct supervision of an instructor.

18           **(c)** Criteria for approving the courses of instruction required under s. 448.954  
19 (1) (e) 2. and 3. Rules promulgated under this paragraph shall require the course of  
20 instruction required under s. 448.954 (1) (e) 3. to consist of at least 500 classroom  
21 hours.

22           **(d)** Requirements and procedures for obtaining the informed consent of a client  
23 under s. 448.96 (1) and for making a report required under s. 448.961 (1).

24           **(e)** A definition of “sexually oriented business” for purposes of s. 448.96 (3).

1           **448.954 Certification of massage therapists or bodyworkers. (1)** The  
2 affiliated credentialing board shall grant a certificate as a massage therapist or  
3 bodyworker to a person who satisfies all of the following:

4           (a) Is 18 years of age or older.

5           (b) Has graduated from high school or attained high school graduation  
6 equivalency as determined by the department of public instruction under s. 115.29  
7 (4).

8           (c) Submits an application for the certificate to the department on a form  
9 provided by the department.

10          (d) Pays the fee specified in s. 440.05 (1).

11          (e) Except as provided in sub. (2), submits evidence satisfactory to the affiliated  
12 credentialing board that he or she has done all of the following:

13           1. Graduated from a school of massage therapy or bodywork approved under  
14 s. 39.51 and under rules promulgated under s. 448.953 (2) (b).

15           2. Completed at least 6 classroom hours in the laws of this state and rules of  
16 the affiliated credentialing board relating to the practice of massage therapy or  
17 bodywork in a course of instruction approved by the affiliated credentialing board.

18           3. Completed a minimum number of classroom hours, established by the  
19 affiliated credentialing board by rule, in a course of instruction in the principles and  
20 techniques of massage therapy or bodywork that is approved by the affiliated  
21 credentialing board.

22          (f) Passes an examination under s. 448.955.

23          (g) Submits evidence satisfactory to the affiliated credentialing board that he  
24 or she has in effect malpractice liability insurance coverage in an amount that is not  
25 less than \$1,000,000 per occurrence and \$1,000,000 for all occurrences in one year.

1           **(2)** The affiliated credentialing board may waive a requirement specified in  
2 sub. (1) (e) if a person establishes, to the satisfaction of the affiliated credentialing  
3 board, that he or she has education, training or other experience that is substantially  
4 equivalent to the requirement.

5           **448.955 Examination.** **(1)** The affiliated credentialing board shall conduct  
6 or arrange for examinations for massage therapist or bodyworker certification at  
7 least semiannually and at times and places determined by the affiliated  
8 credentialing board.

9           **(2)** Examinations shall consist of written or oral tests, or both, requiring  
10 applicants to demonstrate minimum competency in subjects substantially related to  
11 the practice of massage therapy or bodywork.

12           **448.956 Issuance of certificate; expiration and renewal.** **(1)** The  
13 department shall issue a certificate of certification to each person who is certified  
14 under this subchapter. The person shall conspicuously display the certificate in the  
15 place of business where he or she practices massage therapy or bodywork so that the  
16 certificate can be easily seen and read.

17           **(2)** The renewal dates for certificates granted under this subchapter, other  
18 than temporary certificates granted under s. 448.957, are specified under s. 440.08  
19 **(2) (a).** Renewal applications shall be submitted to the department on a form  
20 provided by the department and shall include the renewal fee specified in s. 440.08  
21 **(2) (a),** proof of completion of continuing education under s. 448.959 and the evidence  
22 specified in s. 448.954 **(1) (g).**

23           **448.957 Temporary certificate.** Upon application and payment of the fee  
24 specified in s. 440.05 **(6),** the affiliated credentialing board may grant a temporary  
25 certificate as a massage therapist or bodyworker to a person who satisfies the

1 requirements under s. 448.954 (1) (a) to (e) and (g), has submitted an application to  
2 take the next available examination under s. 448.955 and has not previously failed  
3 the examination. A temporary certificate granted under this section shall expire on  
4 the date on which the person receives the results of the examination and may not be  
5 renewed.

6 **448.958 Reciprocal certificate.** Upon application and payment of the fee  
7 specified in s. 440.05 (2), the affiliated credentialing board shall grant a certificate  
8 as a massage therapist or bodyworker to a person who holds a similar certificate in  
9 another state or territory of the United States if the affiliated credentialing board  
10 determines that the requirements for receiving the certificate in the other state or  
11 territory are substantially equivalent to the requirements under s. 448.954 and the  
12 person submits the evidence specified in s. 448.954 (1) (g).

13 **448.959 Continuing education.** The affiliated credentialing board shall  
14 promulgate rules establishing requirements and procedures for a massage therapist  
15 or bodyworker to complete continuing education programs or courses of study in  
16 order to qualify for renewal of his or her certificate. Rules promulgated under this  
17 section shall require a massage therapist or bodyworker to complete at least 24 hours  
18 of continuing education programs or courses of study in order to qualify for renewal.  
19 The affiliated credentialing board may waive all or part of any requirement  
20 established in rules promulgated under this section if it determines that prolonged  
21 illness, disability or other exceptional circumstances have prevented a massage  
22 therapist or bodyworker from completing the requirement.

23 **448.96 Practice requirements. (1)** A massage therapist or bodyworker may  
24 not practice massage therapy or bodywork on a client unless the massage therapist

1 or bodyworker first obtains the informed consent of the client and has informed the  
2 client that he or she may withdraw the consent at any time.

3 (2) A massage therapist or bodyworker shall keep confidential any information  
4 that a client in confidence gives to the massage therapist or bodyworker and any  
5 other information that the massage therapist or bodyworker obtains about a client  
6 in the course of practicing massage therapy or bodywork that a reasonable person  
7 in the client's position would want kept confidential, unless the information is  
8 otherwise required by law to be disclosed or the client specifically authorizes the  
9 disclosure of the information.

10 (3) A massage therapist or bodyworker may not, whether for compensation or  
11 otherwise, practice massage therapy or bodywork for a sexually oriented business,  
12 as defined by the affiliated credentialing board by rule.

13 **448.961 Duty to make reports.** (1) A massage therapist or bodyworker shall  
14 submit a report to the affiliated credentialing board if he or she has reasonable cause  
15 to believe that another massage therapist or bodyworker has committed a crime  
16 relating to prostitution under ss. 944.30 to 944.34 or has had sexual contact or sexual  
17 intercourse with a client. If the report relates to sexual contact or sexual intercourse  
18 with a client, the report may not identify the client unless the client has provided  
19 written consent for disclosure of this information.

20 (2) The affiliated credentialing board may use a report made under sub. (1) as  
21 the basis for an investigation under s. 448.964 (1). If after an investigation the  
22 affiliated credentialing board has reasonable cause to believe that a massage  
23 therapist or bodyworker has committed a crime, the affiliated credentialing board  
24 shall report the belief to the district attorney for the county in which the crime, in  
25 the opinion of the affiliated credentialing board, occurred.

1           **(3)** If after an investigation the affiliated credentialing board determines that  
2 a report submitted under sub. (1) is without merit, the affiliated credentialing board  
3 shall remove the report from the record of the massage therapist or bodyworker who  
4 is the subject of the report.

5           **(4)** All reports and records made from reports under sub. (1) and maintained  
6 by the department, the affiliated credentialing board, district attorneys and other  
7 persons, officials and institutions shall be confidential and are exempt from  
8 disclosure under s. 19.35 (1). Information regarding the identity of a client with  
9 whom a massage therapist or bodyworker is suspected of having sexual contact or  
10 sexual intercourse shall not be disclosed by persons who have received or have access  
11 to a report or record unless disclosure is consented to in writing by the client. The  
12 report of information under sub. (1) and the disclosure of a report or record under this  
13 subsection does not violate any person's responsibility for maintaining the  
14 confidentiality of patient health care records, as defined in s. 146.81 (4) and as  
15 required under s. 146.82. Reports and records may be disclosed only to the  
16 department, the affiliated credentialing board and the appropriate staff of a district  
17 attorney or a law enforcement agency within this state for purposes of investigation  
18 or prosecution.

19           **(5)** (a) In this subsection, "violation" means a violation of any state or local law  
20 that is punishable by a forfeiture.

21           (b) A massage therapist or bodyworker shall submit a written report to the  
22 affiliated credentialing board if he or she is convicted of a felony or misdemeanor, or  
23 is found to have committed a violation, in this state or elsewhere, and the  
24 circumstances of the felony, misdemeanor or violation substantially relate to the  
25 practice of massage therapy or bodywork. The report shall identify the date, place

1 and nature of the conviction or finding and shall be submitted within 30 days after  
2 the entry of the judgment of conviction or the judgment finding that he or she  
3 committed the violation. If the report is submitted by mail, the report is considered  
4 to be submitted on the date that it is mailed.

5 **448.962 Advertising.** A massage therapist or bodyworker may not advertise  
6 that he or she practices massage therapy or bodywork unless the advertisement  
7 includes his or her certificate number and a statement that the massage therapist  
8 or bodyworker is a “certified massage therapist and bodyworker” or “certified  
9 massage therapist” or “certified bodyworker”.

10 **448.963 Local regulation. (1)** A city, village, town or county may not enact  
11 an ordinance that regulates the practice of massage therapy or bodywork by a person  
12 who is certified by the affiliated credentialing board under this subchapter. No  
13 provision of any ordinance enacted by a city, village, town or county that is in effect  
14 before the effective date of this subsection .... [revisor inserts date], and that relates  
15 to the practice of massage therapy or bodywork, may be enforced against a person  
16 who is certified by the affiliated credentialing board under this subchapter.

17 **(2)** Notwithstanding sub. (1) or s. 59.69 (4), 60.61 (2), 60.62 (1), 61.35, 62.23 (7),  
18 a city, village, town or county may enact a zoning ordinance that restricts the location  
19 of an office in which massage therapy or bodywork is practiced by a person certified  
20 by the affiliated credentialing board under this subchapter only if the same  
21 restrictions also apply to the location of a physician’s office. No provision of any  
22 zoning ordinance enacted by a city, village, town or county that is in effect before the  
23 effective date of this subsection .... [revisor inserts date], and that restricts the  
24 location of an office in which massage therapy or bodywork is practiced by a person

1 certified by the affiliated credentialing board under this subchapter, may be enforced  
2 unless the same restrictions also apply to the location of a physician's office.

3 **448.964 Disciplinary proceedings and actions.** (1) Subject to the rules  
4 promulgated under s. 440.03 (1), the affiliated credentialing board may make  
5 investigations and conduct hearings to determine whether a violation of this  
6 subchapter or any rule promulgated under this subchapter has occurred.

7 (2) Subject to the rules promulgated under s. 440.03 (1), the affiliated  
8 credentialing board may reprimand a massage therapist or bodyworker or deny,  
9 limit, suspend or revoke a certificate under this subchapter if it finds that the  
10 applicant or certificate holder has done any of the following:

11 (a) Made a material misstatement in an application for a certificate or for  
12 renewal of a certificate.

13 (b) Subject to ss. 111.321, 111.322 and 111.335, been convicted of an offense the  
14 circumstances of which substantially relate to the practice of massage therapy or  
15 bodywork.

16 (c) Advertised in a manner that is false, deceptive or misleading.

17 (d) Advertised, practiced or attempted to practice under another's name.

18 (e) Subject to ss. 111.321, 111.322 and 111.34, practiced massage therapy or  
19 bodywork while his or her ability to practice was impaired by alcohol or other drugs.

20 (f) Intentionally made a false statement in a report submitted under s. 448.961  
21 (1).

22 (g) Engaged in unprofessional or unethical conduct in violation of the code of  
23 ethics established in rules promulgated under s. 448.953 (2) (a).

24 (h) Engaged in conduct while practicing massage therapy or bodywork which  
25 jeopardizes the health, safety or welfare of a client or which evidences a lack of

1 knowledge of, inability to apply or the negligent application of, principles or skills of  
2 massage therapy or bodywork.

3 (i) Committed a crime related to prostitution under ss. 944.30 to 944.34.

4 (j) Violated this subchapter or any rule promulgated under this subchapter.

5 **(3)** The affiliated credentialing board may restore a certificate that has been  
6 suspended or revoked on such terms and conditions as the affiliated credentialing  
7 board may consider appropriate.

8 **448.965 Penalties. (1)** Except as provided in sub. (2), any person who violates  
9 this subchapter or any rule promulgated under this subchapter shall forfeit not more  
10 than \$1,000 for each violation.

11 **(2)** A person who violates s. 448.951 shall forfeit not more than \$500 for each  
12 separate offense. Each day of continued violation of s. 448.951 constitutes a separate  
13 offense.

14 **SECTION 12.** 895.48 (1m) (intro.) of the statutes is amended to read:

15 895.48 **(1m)** (intro.) Any physician licensed under ch. 448, chiropractor  
16 licensed under ch. 446, dentist licensed under ch. 447, emergency medical technician  
17 licensed under s. 146.50, physician assistant or massage therapist or bodyworker  
18 certified under ch. 448 or registered nurse licensed under ch. 441 who renders  
19 voluntary health care to a participant in an athletic event or contest sponsored by  
20 a nonprofit corporation, as defined in s. 46.93 (1m) (c), a private school, as defined  
21 in s. 115.001 (3r), a public agency, as defined in s. 46.93 (1m) (e), or a school, as defined  
22 in s. 609.655 (1) (c), is immune from civil liability for his or her acts or omissions in  
23 rendering that care if all of the following conditions exist:

24 **SECTION 13.** 895.48 (1m) (b) of the statutes is amended to read:

1           895.48 **(1m)** (b) The physician, chiropractor, dentist, emergency medical  
2 technician, physician assistant, massage therapist, bodyworker or registered nurse  
3 does not receive compensation for the health care, other than reimbursement for  
4 expenses.

5           **SECTION 14.** 908.03 (6m) (a) of the statutes is amended to read:

6           908.03 **(6m)** (a) *Definition.* In this subsection, “health care provider” means  
7 a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician  
8 assistant or massage therapist or bodyworker certified under ch. 448 or a health care  
9 provider as defined in s. 655.001 (8).

10           **SECTION 15. Nonstatutory provisions.**

11           (1) INITIAL APPOINTMENTS.

12           (a) Notwithstanding section 15.406 (3) (a) of the statutes, as created by this act,  
13 the initial members of the massage therapists and bodyworkers affiliated  
14 credentialing board shall be appointed by the first day of the 3rd month beginning  
15 after the effective date of this paragraph for the following terms:

16           1. Two massage therapist or bodyworker members and one public member, for  
17 terms expiring on July 1, 1999.

18           2. One massage therapist or bodyworker member, for a term expiring on July  
19 1, 2000.

20           3. One massage therapist or bodyworker member and one public member, for  
21 terms expiring on July 1, 2001.

22           4. One massage therapist or bodyworker member, for a term expiring on July  
23 1, 2002.

24           (b) Notwithstanding section 15.406 (3) (a) of the statutes, as created by this act,  
25 for the purpose of being appointed and serving as members of the massage therapists

1 and bodyworkers affiliated credentialing board, the members need not be certified  
2 under subchapter V of chapter 448 of the statutes, as created by this act, until the  
3 first day of the 15th month beginning after the effective date of this paragraph.

4 (2) WAIVER OF CERTAIN CERTIFICATION REQUIREMENTS. Notwithstanding section  
5 448.954 (1) of the statutes, as created by this act, the massage therapists and  
6 bodyworkers affiliated credentialing board shall grant a certificate as a massage  
7 therapist or bodyworker to a person who, not later than the last day of the 6th month  
8 beginning after the effective date of this subsection, does all of the following:

9 (a) Submits an application to the affiliated credentialing board on a form  
10 approved by the affiliated credentialing board that describes the person's education  
11 and his or her experience in the practice of massage therapy and bodywork.

12 (b) Provides evidence satisfactory to the affiliated credentialing board that he  
13 or she satisfies each of the following:

14 1. Has completed at least 100 classroom hours of instruction in the practice of  
15 massage therapy or bodywork, or has practiced massage therapy or bodywork for  
16 compensation for at least 2 years during the 5-year period immediately preceding  
17 the date of the application.

18 2. Has in effect malpractice liability insurance coverage in an amount that is  
19 not less than \$1,000,000 per occurrence and \$1,000,000 for all occurrences in one  
20 year.

21 (c) Pays the fee specified in section 440.05 (1) of the statutes.

22 **SECTION 16. Initial applicability.**

23 (1) The treatment of section 146.81 (1) (eg) of the statutes first applies to the  
24 use of billing forms specified in section 632.725 (2) (a) of the statutes on the effective  
25 date of this subsection.

